

AMENDED

ASSIGNED
Nº 40977

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... MAR 31 1980
Returned to applicant for correction..... JUL 15 1980
Corrected application filed..... SEP 15 1980
Map filed..... OCT 9 1980

The applicant Duval Corporation
c/o Chilton Engineering, of 421 Court Street Elko,
Nevada 89801
Street and No. or P.O. Box No. City or Town
State and Zip Code No.
....., hereby make.... application for permission to appropriate the public
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorpora-
tion; if a copartnership or association, give names of members.)..... August 18, 1926-Texas
qualified in Nevada-June 5, 1962

1. The source of the proposed appropriation is Copper Canyon Well No. 4
Name of stream, lake or other source.
2. The amount of water applied for is 6.0 cfs second-feet
One second-foot equals 448.83 gals. per min.
(a) If stored in reservoir give number of acre-feet..... acre-feet
3. The water to be used for Mining, milling, domestic
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
(a) Irrigation (state number of acres to be irrigated).....
(b) Stockwater (state number and kinds of animals to be watered).....
(c) Other use (describe fully under "No. 12. Remarks").....
(d) Power:
(1) Horsepower developed.....
(2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point: Within the NW¼ SW¼ of Section 9,
T30N, R43E, MDM, at a point from which the S¼ corner of said Section 9 bears S 58°
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
53' E 3020 feet
it should be stated.
6. Place of use Sections 21,22,27,28,33 & 34 T.31N. R.43E. MDM
Describe by legal subdivision, if on unsurveyed land it should be so stated.
7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled and cased well equipped with motor, pump and pipeline to place of use.
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$50,000
10. Estimated time required to construct works.....2 Years
11. Estimated time required to complete the application to beneficial use.....3 Years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This well will be used for stand-by purposes only in order to maintain a constant flow of water during maintenance and/or repair of other wells.

The annual consumption will not exceed the permitted amounts under 11876 and 36870.

Applicant.....Duval Corporation

By.....s/William A. Nisbet.....agent
421 Court Street
Elko, Nevada 89801

Compared.....bc/ b1.....gk/bc

APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water granted herein at any and all times.

The total duty of water under this permit and Permits 11876, 22884, and 36870 shall not exceed 825.65 million gallons annually from all permits.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....6.0.....cubic feet per second, but not to exceed 825.65 million gallons annually.

- Actual construction work shall begin on or before.....August 4, 1981
- Proof of commencement of work shall be filed before.....September 4, 1981
- Work must be prosecuted with reasonable diligence and be completed on or before.....August 4, 1982
- Proof of completion of work shall be filed before.....September 4, 1982
- Application of water to beneficial use shall be made on or before.....August 4, 1985
- Proof of the application of water to beneficial use shall be filed on or before.....September 4, 1985
- Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....
Completion of work filed.....SEP 14 1982
Proof of beneficial use filed.....
Cultural map filed.....
Certificate No.....Issued.....

IN TESTIMONY WHEREOF, I, WILLIAM-J. NEWMAN
State Engineer of Nevada, have hereunto set my hand and the seal of my office, this.....4th.....day of.....FEBRUARY.....

A.D. 1981

William J. Newman
State Engineer